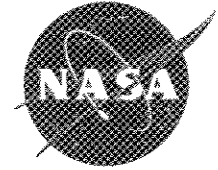


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



June 17, 2011

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance at Events Related to the International Paris Air Show, June 19-26, 2011

Representatives from NASA have been invited to attend a series of events in conjunction with the 2011 49<sup>th</sup> International Paris Air Show at Le Bourget in Paris, France. Aerospace and government leaders from around the world will attend this event which will mark one hundred years of technological innovation in aeronautics and space conquest. The events are as follows:

1. State of Alabama Reception, June 19, 2011: A number of public and private entities in Alabama are holding a reception from 5:30 p.m. to 7:30 p.m. at the Eiffel Tower. The hosts include the Chamber of Commerce of Huntsville/Madison County; City of Huntsville; Huntsville International Airport; Madison County Commission; North Alabama Industrial Development Association; and the Tennessee Valley Authority. The hosts have had exclusive control over planning the event and the guest list. Additional sponsors include Aerojet, Bradley Arant Boud Cummings; Ducommun Miltec; Teledyne Brown Engineering, Inc; and United Space Alliance. Approximately 550 people have been invited, including representatives from other U.S. Government agencies, state governors, members of Congress, and U.S. and international industry. Spouses are invited. The maximum benefit per employee is approximately 21.66 Euros (\$31.38).

2. Alliant Techsystems (ATK) "Tea at the Ritz" Reception June 19, 2011- ATK is sponsoring a cocktail reception at the Hôtel Ritz in Paris, France from 4 to 6 p.m. Approximately 300 people are invited, including Congressmen and staffers, state and local officials, academia, industry representatives, personnel from NASA and other Federal agencies, international partners, and members of the public. The approximate cost per person is 32.50 Euros (\$47).

3. South Carolina Department of Commerce Reception, June 19, 2011- The South Carolina Department of Commerce and the South Carolina Governor, Nikki Haley, are hosting a reception at the Hôtel de Talleyrand from 6 to 8 p.m. The hosts have had exclusive control over planning the event and the guest list. The event is also sponsored by Michelin, The Boeing Company, Lockheed Martin, and the French-American Foundation.

Approximately 150 people are expected to attend, including representatives from industry, state and local officials, and personnel from NASA and other Federal agencies. The approximate cost per person is 115 Euros (\$167).

4. United Technologies Corporation Reception, June 19, 2011: The United Technologies Corporation (UTC) will hold a reception from 7:30 to 9:30 p.m. at the Quai d'Orsay in Paris. Approximately 1,000 people have been invited, including representatives from NASA and other Federal agencies, congressmen and staffers, state and local government officials, industry, academia, the media, and the public. The approximate cost per person is \$198.

5. AIA/ATK Lunch, June 20, 2011: The Aerospace Industries Association and Alliant Techsystems are sponsoring a VIP Space luncheon at noon at the AIA Chalet at the Paris Air Show. Approximately 24 people, including NASA personnel and U.S. industry representatives, have been invited and the cost per person is approximately \$43 per person. The event will feature remarks by the NASA Administrator and Mr. Jean-Jacque Dordain, the ESA Director General.

6. U.S. Ambassadors Reception, June 20, 2011 - The Aerospace Industries Association is sponsoring a reception beginning at 6:30 p.m. at the U.S. Ambassador's residence in Paris. Co-sponsors include Boeing Company, Celestica Corporation, Flextronics International USA, Lockheed Martin Corporation, Pratt & Whitney, and Raytheon Company. The event is a reception for U.S. industry attending the Air Show and an opportunity to meet with Charles Rivkin, the U.S. Ambassador to France. Approximately 1,500 people have been invited. The attendees include representatives from NASA, other Federal agencies, Congressmen and staffers, state and local governments, industry, and academia. The approximate cost per person is \$85. Employees and their invited spouses who receive invitations from the State Department for this event may attend for free.

7. Thales Alenia Space and Telespazio Reception, June 20, 2011 - Thales Alenia Space and Telespazio will hold a reception at the Italian Embassy in Paris starting at 8 p.m. Approximately 400 people have been invited. The attendees include representatives from NASA, foreign governments, and the international aerospace industry.

I find that these events meet the requirements of a widely attended gathering as defined in 5 C.F.R. § 2635.204(g). Because of NASA's interest in international collaboration and in the advancement and application of flight and related technologies, I find that there is an Agency interest in having NASA personnel attend. NASA employees whose duties do not substantially affect the sponsors may accept an invitation for free attendance at these events for themselves and their spouses or guests.

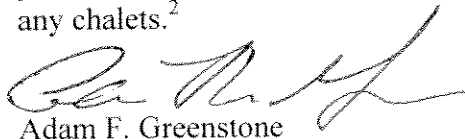
NASA employees, whose duties may substantially affect these co-sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their ethics counselor.

Moreover, NASA employees who are in non-career positions in which the President's Executive Order of January 21, 2009, requires signing an ethics pledge may accept free

attendance at the State of Alabama Reception, South Carolina Department of Commerce Reception, the U.S. Ambassador's Reception, and Thales Alenia Space and Telespazio Reception, but may only attend the other events if they reimburse the sponsors the cost of the receptions. Because he will be speaking at the AIA/ATK Lunch, the NASA Administrator may accept free attendance for himself and his invited spouse.

Giveaways. Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion and no more than \$50 from one source in a calendar year. Other than for presentation items with little intrinsic value and no additional function, such as pins or patches with mission emblems, NASA invitees must reimburse the sponsors for the full value of any gift items exceeding these caps distributed by the sponsors. Moreover, non-career NASA employees subject to the ethics pledge should reimburse sponsors which are lobbying organizations for purposes of the ethics pledge the full value of any such gift items accepted even if these monetary caps are not exceeded.

Corporate Chalets. This determination does not include the chalets hosted by corporate sponsors.<sup>1</sup> The chalets provide corporations with space to receive visitors and view Air Show activities. NASA personnel should observe the exception to the gift rules that allows acceptance of gifts (including free refreshments and tangible gifts) with an aggregate value of \$20 or less per event from a single source, not to exceed \$50 per year from that source. Gifts to an employee's spouse or guest are treated as gifts to the employee for purposes of these gift limitations. NASA employees invited to and desiring to attend these associated corporate chalets may accept free refreshments if the fair market value of the food and drink consumed is less than \$20. If \$20 or more is consumed, the employee should personally provide that amount to the corporate host as reimbursement. Non-career NASA employees subject to the ethics pledge should reimburse sponsors which are registered lobbying organizations for purposes of the ethics pledge for the fair market value of any refreshments they consume at any chalets.<sup>2</sup>



Adam F. Greenstone

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<sup>1</sup> Many U.S. Companies have reserved chalets, including Aerojet, General Dynamics, Pratt & Whitney, Raytheon, ATK, Northrop Grumman, Lockheed Martin, L-3 Communications, Boeing, ITT, United Technologies Company, and Honeywell, among others.

<sup>2</sup> The money may be placed in an "honor basket" if one is present.